

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL J. BRODHEIM,

Plaintiff,

No. CIV S-02-0573 FCD EFB P

vs.

MICHAEL CRY, et al.,

Defendants.

ORDER

Plaintiff is a prisoner without counsel seeking relief for civil rights violations. *See* 42 U.S.C. § 1983. On November 6, 2007, plaintiff filed a motion for the court to direct the Clerk of the Court to comply with Fed. R. App. P. 3(d), and serve a copy of his notice of appeal on defendants. Plaintiff is informed that, pursuant to Local Rule 5-135(a)¹, his notice of appeal was

¹ Rule 5-135, Service of Documents During Action

(a) Service of Electronic Documents. "Service" as utilized in these Rules includes electronic service as set forth in the CM/ECF procedures in these Local Rules. "Notice of Electronic Filing" is a notice automatically generated by CM/ECF at the time a document is filed with the system. When counsel have consented to electronic service, see L.R. 5-135(g), this Notice will constitute automatic service of the document on all others who have consented. This Notice will set forth the time of filing, the name of the parties and attorney(s) filing the document, the type of document, the text of the docket entry, the name of the parties and/or attorney(s) receiving the notice, and an electronic link (hyperlink) to the filed document that allows recipients to retrieve the document automatically. Service via this electronic Notice constitutes service pursuant to Fed. R. Civ. P. 5(b)(2)(D) and Fed. R. Crim. P. 49.

1 automatically served electronically on defense counsel through the court's Case
2 Management/Electronic Case Filing system. Accordingly, plaintiff's November 6, 2007, motion
3 is denied.

4 Dated: November 19, 2007.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE